

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
COLUMBIA DIVISION**

David Ray Tant,)	Civil Action No.: 3:12-cv-03020-JFA-PJG
)	
Plaintiff,)	
)	
v.)	
)	
William Frick, Michael Stobbe, David)	
Tatarsky, and John Doe, individually, or)	
alternatively in their capacities as agents)	RESPONSES TO LOCAL RULE 26.03
of the South Carolina Department of)	INTERROGATORIES ON BEHALF OF
Corrections, the South Carolina Office of)	DEFENDANTS FRICK, SOUTH
the Attorney General, the South Carolina)	CAROLINA OFFICE OF THE ATTORNEY
Department of Pardon, Probation and)	GENERAL AND FAIRFIELD COUNTY
Parole, and the Fairfield County)	SOLICITOR'S OFFICE
Solicitor's Office, and therefore, the South)	
Carolina Department of Corrections, the)	
South Carolina Office of the Attorney)	
General, the South Carolina Department)	
of Pardon, Probation and Parole, and the)	
Fairfield County Solicitor's Office,)	
)	
Defendants.)	
_____)	

Defendants William Frick, South Carolina Office of the Attorney General and Fairfield County Solicitor's Office hereby submit the following responses to Local Rule 26.03 Interrogatories:

1. A short statement of the facts of the case.

RESPONSE: Plaintiff alleges that his criminal sentence for an underlying conviction was miscalculated, resulting in longer incarceration than originally intended by the sentencing judge. He further alleges that these Defendants conspired with the other Defendants to this end. These Defendants and all other Defendants deny all of Plaintiff's allegations.

2. The names of fact witnesses likely to be called by the party and a brief summary of their expected testimony.

RESPONSE: William Frick

This witness is a named Defendant. He is expected to testify regarding his knowledge of the facts of the case, including his role in prosecuting Plaintiff.

These Defendants reserve the right to call as a witness any individual identified by any other party. Further, these Defendants reserve the right to supplement this response.

3. The names and subject matter of expert witnesses (if no witnesses have been identified, the subject matter and field of expertise should be given as to experts likely to be offered).

RESPONSE: None at this time.

4. A summary of all claims or defenses with statutory and/or case citations supporting the same.

RESPONSE: Plaintiff has brought claims against Defendant Frick alleging violations of Plaintiff's constitutional rights pursuant to 42 U.S.C. § 1983. Plaintiff has also brought claims against Defendants Frick, South Carolina Office of the Attorney General and Fairfield County Solicitor's Office for intentional infliction of emotional distress, conspiracy, negligence and others.

These Defendants have raised various defenses, including prosecutorial immunity and intra-corporate immunity, as well as defenses available under the South Carolina Tort Claims Act.

These Defendants reserve the right to supplement this response, as discovery has not yet commenced, and additional legal arguments may be raised in this matter.

5. Absent special instructions from the assigned judge, the parties shall propose dates for the following deadlines listed in Local Civil Rule 16:02:

- (a) Exchange of Fed. R. Civ. P. 26(a)(2) expert disclosures; and

(b) Completion of discovery.

RESPONSE: These Defendants are informed and believe that the current scheduling order should be modified per the proposed order submitted to chambers.

6. The parties shall inform the Court whether there are any special circumstances which would affect the time frames applied in preparing the scheduled Order.

RESPONSE: None known to these Defendants at this time.

DAVIDSON & LINDEMANN, P.A.

s/William H. Davidson, II
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COLUMBIA, SOUTH CAROLINA

NOVEMBER 28, 2012